



State of Connecticut

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Testimony

in Support of

SJ 36: Resolution Proposing an Amendment to the Constitution of the State to Protect Certain Property Held or Controlled by the State for Conservation, Recreation, Open Space or Agricultural Purposes

Government Administration and Elections Committee

March 14, 2016

Good afternoon, Senator Cassano, Representative Jutila, Senator McLachlan, Representative Smith, and distinguished members of the Government Administration and Elections Committee. Thank you for the opportunity to testify in favor of SJ 36, a Resolution Proposing an Amendment to the Constitution of the State to Protect Certain Property Held or Controlled by the State for Conservation, Recreation, Open Space or Agricultural Purposes.

The constitutional amendment proposed by this bill would require:

- That any state land or easement, including state parks and forests, held for conservation, recreation, open space, or agricultural purposes be sold or transferred only by special act, passed with the approval of two-thirds of the General Assembly
- That this vote be preceded by a public hearing held by the state agency holding the property in the town or towns where the property is located
- That the agency holding the property receive an appropriation equal to the fair market value of the property which can be used only to purchase property of similar value.

One of Connecticut's greatest attractions as a place to live is its extraordinarily beautiful natural landscape. This is because our state's residents set great value, fortunately, on protecting open space and making it accessible to the public.

Nevertheless, the General Assembly has firmly established a procedure that makes it very easy to violate the public trust by legislatively transferring ownership of state-owned lands to private owners or municipalities with no responsibility or obligation to protect them.

We should not need a constitutional amendment to protect something that is already meant to be protected, but because of the process surrounding the annual conveyance bill, we do.

A few of the characteristics of that process are:

- Bundling all land conveyance requests into one bill, so that none can be voted on separately, and last-minute passage of the bill that does not allow proper scrutiny
- No possibility of public hearings in the districts where lands are located before the votes
- No requirement that the state be compensated for conveyance of lands that have served as an asset to the public – which would at least provide funds for the acquisition of similar land for conservation or related use.

If we are to ensure the protection of Connecticut's state-owned open space, we must completely reform the legislative process surrounding the annual conveyance bill. Even a constitutional amendment might not be sufficient to bring about full reform.

I respectfully suggest to the Committee, therefore, that the legislature set in motion both this resolution for a constitutional amendment and full legislative reform of the process surrounding the conveyance bill. Statutory reform is all the more desirable given the complexity of the constitutional amendment process and its uncertainty: we all know the history of the constitutional spending cap amendment, which was approved by more than 80% of Connecticut's voters 25 years ago, and has still not, to this day, been implemented by the General Assembly.

I urge the Committee both to pass this resolution and to raise legislation reforming the legislative process for land conveyance.